need not be opened for the passage of vessels.

Dated: December 4, 1998.

Thomas E. Bernard,

Captain, U.S. Coast Guard, Fifth Coast Guard District, Acting District Commander.

[FR Doc. 98–33223 Filed 12–15–98; 8:45 am]

BILLING CODE 4910–15–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05–98–101]

Drawbridge Operation Regulations; New Jersey Intracoastal Waterway; Cape May Canal

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Fifth Coast Guard District has issued a temporary deviation from the regulations governing the operation of the Cape May Canal Railroad Bridge across the Intracoastal Waterway (ICW), mile 115.1, in Cape May, New Jersey. From 8 a.m. until 5 p.m., December 16, 17, and 18, 1998, the bridge will be maintained in the closed position. This closure is necessary to facilitate the ongoing reconstruction of the bridge's swing span.

DATES: This deviation is effective from 8 a.m. until 5 p.m. each day on December 16, 17, and 18, 1998.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398–6222.

SUPPLEMENTARY INFORMATION: The Cape May Canal Railroad Bridge is owned by New Jersey Transit Corporation (NJT). The current regulations in Title 33 Code of Federal Regulations, Section 117.41 require the draw be maintained in the fully open position to permit the passage of vessels and drawtender service discontinued. The draw shall remain in the fully open position until drawtender service is restored or authorization under Section 117.39 is given for the draw to remain closed and untended.

Under an agreement with NJT and Cape May Seashore Lines, Inc., (CMSL), CMSL would be responsible for reactivation of the rail service, the operation of the drawbridge and the bridge accessories. In December 1997, the Coast Guard approved the reconstruction of the bridge for mechanical, electrical and structural repairs. On November 13, 1998, the Coast Guard received a request from CMSL to schedule daytime closures of the bridge to facilitate the ongoing reconstruction of the drawbridge. No openings were logged, since the bridge has been maintained in the fully open position to vessels since the late 1970's.

The Coast Guard has advised the local Coast Guard units (USCG Group Atlantic City and Station Cape May) of the bridge's inability to open for vessels on the requested times and dates, and they did not object. CMSL has ensured that advance notification of the scheduled closures will be posted in the Atlantic City Press Cape May Edition, Additionally, the Coast Guard will inform the commercial/recreational users of the waterway of the bridge closures in the weekly Notice to Mariners so that these vessels can arrange their transits to avoid being negatively impacted by the temporary deviation.

From 8 a.m. until 5 p.m., on 16, 17, and 18, December 1998, this deviation allows the Cape May Canal Railroad Bridge, ICW mile 115.1 in Cape May to remain closed.

Dated: December 4, 1998.

Thomas E. Bernard,

Captain, U.S. Coast Guard, Fifth Coast Guard District, Acting District Commander.

[FR Doc. 98–33222 Filed 12–15–98; 8:45 am]

BILLING CODE 4910–15–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Region 2 Docket No. NJ32–183c, FRL–6203–3]

Approval and Promulgation of Implementation Plans; Reasonably Available Control Technology for Oxides of Nitrogen for Specific Sources in the State of New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to receipt of an adverse comment, EPA is withdrawing a portion of the direct final rule which approved revisions to the New Jersey State Implementation Plan. EPA published the direct final rule on October 20, 1998 (63 FR 56086), approving four (4) revisions consisting of fifteen (15) source-specific reasonably available control technology determinations for controlling oxides of nitrogen. As stated in the direct final rule, if adverse comments were received by November 19, 1998, a timely withdrawal would be published in the **Federal Register**. EPA subsequently received an adverse comment concerning one source-specific determination contained in the direct final rule. As a result, EPA is withdrawing its approval of the source-specific SIP revision for the Jersey Central Power & Light Company-52.1570(c)(64)(i)(A)(14). EPA will act on this source-specific SIP revision when New Jersey submits a revised reasonably available control technology determination. EPA's approval of the remaining fourteen source-specific SIP revisions announced in the direct final rule are not affected by today's withdrawal document.

DATES: As of December 16, 1998, EPA withdraws the addition of 40 CFR 52.1570(c)(64)(i)(A)(14) published in the **Federal Register** on October 20, 1998 (63 FR 55949).

FOR FURTHER INFORMATION CONTACT: Ted Gardella, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10007–1866, (212) 637–4249.

SUPPLEMENTARY INFORMATION: The July 10, 1996 submittal included a Conditions of Approval Document (or permit) dated April 6, 1996 for Jersey Central Power and Light (JCP&L) Company's four combined cycle combustion turbines at its Gilbert Generating Station in Holland Township, Hunterdon County, New Jersey. GPU Generation Corporation (Genco), the operator of the JCP&L Gilbert Station, wrote to EPA on November 19, 1998 and stated that the Conditions of Approval Document for the Gilbert Station had been revised subsequent to its submittal to EPA by the State of New Jersey and requested that EPA withdraw the direct final rule as it pertains to the Gilbert Station's turbines.

Conclusion

EPA agrees with Genco's November 19, 1998 request and has determined that withdrawal is warranted. Therefore, this action withdraws 40 CFR 52.1570(c)(64)(i)(A)(14) for JCP&L's four combined cycle combustion turbines at the Gilbert Station. EPA will take action on the currently effective Conditions of Approval Document when New Jersey submits it to EPA.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: December 8, 1998.

Herbert Barrack,

Acting Regional Administrator, Region 2.

[FR Doc. 98–33217 Filed 12–15–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP–300764; FRL–6048–4]

RIN 2070–AB78

Tralkoxydim; Time-Limited Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes time-limited tolerances for residues of the herbicide tralkoxydim in or on certain raw agricultural commodities. Zeneca Ag Products requested this tolerance under the Federal Food, Drug and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (Pub. L. 104–170). These tolerances will expire on February 28, 2003.

DATES: This regulation is effective December 16, 1998. Objections and requests for hearings must be received by EPA on or before February 16, 1999.

ADDRESSES: Written objections and hearing requests, identified by the docket control number, [OPP–300764], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled ''Tolerance Petition Fees'' and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified by the docket control number, [OPP–300764], must also be submitted to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 119, Crystal Mall 2 (CM #2), 1921 Jefferson Davis Hwy., Arlington, VA.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect 5.1/6.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [OPP–300764]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: By mail: James A. Tompkins, Registration Division 7505C, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., S.W., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 239, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305–5697, e-mail: tompkins.jim@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: In the Federal Register of July 2, 1997 (62 FR 35804)(FRL–5722–9), EPA, issued a notice pursuant to section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a announcing the filing of a pesticide petition (PP 6F4631) for tolerance by Zeneca Ag Products, 1800 Concord Pike, P.O. Box 15458, Wilmington, DE 19850–5458. This notice included a summary of the petition prepared by Zeneca Ag Products, the registrant. There were no comments received in response to the notice of filing.

The petition requested that 40 CFR part 180 be amended by establishing time-limited tolerances for residues of the herbicide, tralkoxydim, 2-(Cyclohexen-1-one, 2-[1-(ethoxyimino)propyl]-3-hydroxy-5-(2,4,6-trimethylphenyl)-(9Cl), in or on the raw agricultural commodities barley grain, barley straw, barley hay, wheat grain, wheat forage, wheat straw, and wheat hay at 0.1 parts per million (ppm). Zeneca Ag Products subsequently amended the proposed tolerances to lower the residue levels, as follows; barley grain, barley hay, wheat grain and wheat hay at 0.02 ppm, and barley straw, wheat forage and wheat straw at 0.05 ppm. These tolerances will expire on February 28, 2003.

I. Risk Assessment and Statutory Findings

Section 408(b)(2)(A)(i) of the FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

EPA performs a number of analyses to determine the risks from aggregate exposure to pesticide residues. For further discussion of the regulatory requirements of section 408 and a complete description of the risk assessment process, see the Final Rule on Bifenthrin Pesticide Tolerances (62 FR 62961, November 26, 1997) (FRL–5754–7).

A. Toxicity

1. *Threshold and non-threshold effects.* For many animal studies, a dose response relationship can be determined, which provides a dose that causes adverse effects (threshold effects) and doses causing no observed effects (the ''no-observed adverse effect level'' or ''NOAEL'').

Once a study has been evaluated and the observed effects have been determined to be threshold effects, EPA generally divides the NOAEL from the study with the lowest NOAEL by an uncertainty factor (usually 100 or more) to determine the Reference Dose (RfD). The RfD is a level at or below which daily aggregate exposure over a lifetime will not pose appreciable risks to human health. An uncertainty factor (sometimes called a ''safety factor'') of 100 is commonly used since it is assumed that people may be up to 10 times more sensitive to pesticides than the test animals, and that one person or subgroup of the population (such as infants and children) could be up to 10 times more sensitive to a pesticide than another. In addition, EPA assesses the potential risks to infants and children based on the weight of the evidence of the toxicology studies and determines whether an additional uncertainty factor is warranted. Thus, an aggregate daily exposure to a pesticide residue at or below the Rfd (expressed as 100% or less of the RfD) is generally considered acceptable by EPA. EPA generally uses